



The East Punjab Local Authorities (Restriction of Functions) Act, 1947

Act 9 of 1947

Keyword(s):

Refugee, Influx of Refugees, Appointment of Refugees

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**THE EAST PUNJAB LOCAL AUTHORITIES
(RESTRICTION OF FUNCTIONS) ACT, 1947**

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**"THE EAST PUNJAB LOCAL AUTHORITIES
(RESTRICTION OF FUNCTIONS) ACT, 1947.**

EAST PUNJAB ACT NO. 9 OF 1947

[Received the assent of His Excellency the Governor of East Punjab on the 4th December, 1947, and was first published in the East Punjab Government Gazette (Extraordinary), dated the 8th December, 1947.]

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1947	9,	The East Punjab Local Authorities (Restriction of Functions) Act, 1947.	Amended in part by the Adaptation of Laws Order, 1950 Amended by the Adaptation of Laws Order, 1968. ²

It is hereby enacted as follows :—

1. (1) This Act may be called the East Punjab Local Authorities (Restriction of Functions) Act, 1947.

Short title,
extent and
commencement.

(2) It extends to the whole of ³[principal territories].

(3) It shall come into force at once.

2. In this Act unless there is anything repugnant in the subject or context—

Interpretation.

(a) "Notified Area" means an area notified by the ⁴[State] Government as an area in which there is an influx of refugees or in which such influx is anticipated ; and

(b) "Refugee" means a person domiciled or ordinarily resident in the territories now comprised in the Dominion of Pakistan and who has left or been made to leave his place of business in the said territories on account of civil disturbances or the fear of such disturbances and who is for the time being resident in the ³[Haryana].

1. For Statement of Objects and Reasons, see *East Punjab Government Gazette*, 1947, page 77; for proceedings in the Assembly, see *East Punjab Legislative Assembly Debates* Volume I, 1947, page 212.

2. See *Haryana Government Gazette (Extra)*, dated the 29th October, 1968.

3. Substituted for the word "Punjab" by the Adaptation of Order, 1968.

4. Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

Power to
notify
certain areas.

3. The ¹[State] Government may by notification in the Official Gazette declare that the whole or any such part of the ²[State] as may be specified in the notification is a notified area, and may in the like manner add to, amend, vary or rescind such notification.

Assumption
of functions.

4. The ¹[State] Government, if satisfied that a local authority (not being a Cantonment Board) having jurisdiction in any notified area is incapable of performing or does not adequately perform, any or all of its functions, may suspend such branches or departments of the local authority as are entrusted with these functions, and shall appoint any person or persons either by name or designation to discharge such function or functions.

Expenses to
be paid by
the local
authority.

5. The ¹[State] Government may, as often as may be necessary, direct that the expenses of discharging such functions shall, within such time as may be fixed, be paid by the local authority and should the expenses be not so paid, the ¹[State] Government may make an order directing the person having the custody of the balance of the funds of the local authority to pay the expenses, or so much thereof as may from time to time be possible, from that balance, in priority to all other charges against the same.

Power to
direct local
authorities to
appoint
refugees in
vacancies in
their services.

6. The ¹[State] Government may, subject to such ³conditions as may be prescribed, direct any local authority in a notified area to appoint refugees to vacancies in posts of officers or servants other than menials and those paid out of contingencies that have occurred or may occur within the next two years.

Indemnity.

7. No suit, prosecution or other legal proceedings shall lie against the ¹[State] Government or against any person in respect of anything which is in good faith done or intended to be done under the provisions of this Act.

1. Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

2. Substituted for the word "Province" by the Adaptation of Laws Order, 1950.

3. For conditions, see *East Punjab Government Gazette* (Extra-ordinary), dated 12th January, 1948, page 128, Notification No. 1235-B and C-47/408, dated 4th January, 1948.

8. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in the Punjab District Board Act (XX of 1883), the Punjab Municipal Act, 1911 (III of 1911), the Small Towns Act, 1922 (II of 1922) or any other enactment in force in '[Principal territories.]

Act to
override
certain other
enactments.

9. The East Punjab Local Authorities (Restriction of Functions) Ordinance, 1947, is hereby repealed.

Repeal of
Ordinance 1
of 1947.

1. Substituted for the word "Punjab" by Haryana Adaptation of Laws Order, 1968.